

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair David Howard, on April 4, 2017 at 10:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. David Howard, Chair (R)
Sen. Cary Smith, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Frederick (Eric) Moore (R)
Sen. Albert Olszewski (R)
Sen. Diane Sands (D)

Members Excused: Sen. Jason D. Small (R)

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: HB 364 - TABLED
HB 142 - TABLED
HB 386 - BE CONCURRED IN
HB 387 - TABLED
HB 389 - BE CONCURRED IN
HB 430 - TABLED
HB 458 - BE CONCURRED IN AS AMENDED
HB 517 - BE CONCURRED IN
SJ 21 - DO PASS

EXECUTIVE ACTION ON HB 364

00:01:46 **Motion:** Sen. C. Smith moved that **HB 364 BE CONCURRED IN.**

00:02:34 **Motion:** Sen. C. Smith moved that **HB 364 BE AMENDED.**
EXHIBIT(phs70a01)

Discussion:

00:02:48 Sue O'Connell, Legislative Services Division, LSD
00:03:04 Chair Howard
00:03:30 Sen. Gross
00:03:41 Ms. O'Connell, LSD
00:03:54 Chair Howard
00:04:21 Sen. Sands
00:04:45 Chair Howard

00:05:01 Sen. Moore entered the hearing.

00:05:46 Sen. Gross
00:06:10 Chair Howard
00:06:17 Ms. O'Connell
00:06:35 Sen. Caferro
00:06:40 Chair Howard
00:08:06 Sen. Caferro
00:09:02 Sen. Sands
00:10:58 Chair Howard

00:11:54 **Vote:** Motion carried 6-3 by roll call vote with Sen. Caferro, Sen. Gross and Sen. Sands voting no. Sen. Small voted by proxy.

00:12:45 **Motion:** Sen. C. Smith moved that **HB 364 BE CONCURRED IN AS AMENDED.**

Discussion:

00:12:54 Sen. Gross
00:13:07 Chair Howard
00:13:20 Ms. O'Connell
00:13:27 Chair Howard
00:13:30 Sen. Gross
00:14:01 Sen. Sands
00:14:32 Sen. C. Smith

00:15:24 **Motion/Vote:** Sen. Sands moved that **HB 364 BE TABLED.** Motion carried 6-3 by roll call vote with Sen. Howard, Sen. Moore and Sen. Olszewski voting no. Sen. Small voted by proxy.

EXECUTIVE ACTION ON HB 142

00:16:49 **Motion/Vote:** Sen. C. Smith moved that **HB 142 BE TABLED**. Motion carried 5-4 by roll call vote with Sen. Caferro, Sen. Gross, Sen. Olszewski and Sen. Sands voting no. Sen. Small voted by proxy.

EXECUTIVE ACTION ON HB 386

00:18:03 **Motion:** Sen. C. Smith moved that **HB 386 BE CONCURRED IN**.

Discussion:

00:18:26 Sen. Gross

00:19:02 Sen. Olszewski

00:19:26 **Vote:** Motion carried unanimously by voice vote. Sen. Small voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON HB 387

00:20:01 **Motion:** Sen. C. Smith moved that **HB 387 BE CONCURRED IN**.

Discussion:

00:20:48 Sen. Gross

00:21:57 Ms. O'Connell

00:22:00 Chair Howard

00:22:11 Sen. Smith

00:22:24 Sen. Caferro

00:25:11 Sen. Moore

00:25:20 Ms. O'Connell

00:25:30 Sen. Moore

00:25:57 Sen. Caferro

00:26:23 Sen. Sands

00:26:35 **Substitute Motion/Vote:** Sen. Sands made a substitute motion that **HB 387 BE TABLED**. Substitute motion carried 7-2 by roll call vote with Sen. Moore and Sen. Olszewski voting no. Sen. Small voted by proxy.

EXECUTIVE ACTION ON HB 389

00:27:36 **Motion:** Sen. C. Smith moved that **HB 389 BE CONCURRED IN**.

Discussion:

00:27:58 Sen. Olszewski

00:28:17 Chair Howard

00:28:30 Sen. Hinebauch

00:29:46 Sen. Gross

00:31:26 Sen. Sands

00:32:44 Sen. Moore
00:33:38 Sen. Olszewski
00:35:44 Chair Howard
00:35:45 Sen. Caferro
00:35:47 Chair Howard
00:36:42 Sen. Olszewski

00:37:25 **Vote:** Motion carried 5-4 by roll call vote with Sen. Caferro, Sen. Hinebauch, Sen. Moore and Sen. Sands voting no. Sen. Small voted by proxy. Sen. Olszewski will carry the bill.

EXECUTIVE ACTION ON HB 430

00:38:57 **Motion:** Sen. C. Smith moved that **HB 430 BE CONCURRED IN.**

Discussion:

00:39:13 Sen. Caferro
00:39:37 Sen. Gross
00:39:53 Sen. Caferro
00:40:01 Sen. Sands
00:40:19 Sen. Gross
00:41:14 Sen. Olszewski
00:42:03 Sen. Sands

00:42:10 **Substitute Motion/Vote:** Sen. Sands made a substitute motion that **HB 430 BE TABLED.** Substitute motion carried unanimously by roll call vote. Sen. Small voted by proxy.

EXECUTIVE ACTION ON HB 458

00:42:59 **Motion:** Sen. C. Smith moved that **HB 458 BE CONCURRED IN.**

Discussion:

00:43:29 Ms. O'Connell
[EXHIBIT](#)(phs70a02)

00:43:59 **Motion:** Sen. C. Smith moved that **HB 458 BE AMENDED.**

Discussion:

00:44:17 Ms. O'Connell
00:44:42 Sen. Sands
00:45:29 Sen. Caferro
00:45:45 Sen. Gross
00:46:39 Sen. Olszewski

00:47:13 Sen. Moore left the hearing.

00:47:26 Sen. Gross

00:48:27 **Vote:** Motion failed 4-5 by roll call vote with Sen. Caferro, Sen. Gross, Sen. Hinebauch and Sen. Sands voting aye. Sen. Moore and Sen. Small voted by proxy.

00:49:15 **Motion:** Sen. Sands moved that **HB 458 BE AMENDED.**
EXHIBIT(phs70a03)

Discussion:

00:50:12 Sen. Gross
00:50:14 Sen. Olszewski
00:50:33 Chair Howard

00:50:43 **Vote:** Motion carried unanimously by voice vote. Sen. Moore and Sen. Small voted by proxy.

Discussion:

00:51:07 Sen. Olszewski
00:53:41 Sen. Caferro
00:54:01 Sen. Olszewski
00:54:16 Sen. Sands
00:55:11 Sen. C. Smith
00:55:17 Ms. O'Connell
00:55:43 Chair Howard
00:55:51 Ms. O'Connell
00:56:14 Sen. Gross
00:56:30 Chair Howard

00:56:46 **Motion:** Sen. Caferro moved that **HB 458 BE AMENDED CONCEPTUALLY.**

Discussion:

00:57:26 Sen. Sands
00:57:31 Sen. Caferro
00:57:39 Chair Howard

00:57:58 **Vote:** Motion carried unanimously by voice vote. Sen. Moore and Sen. Small voted by proxy.

00:58:09 **Motion/Vote:** Sen. C. Smith moved that **HB 458 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Moore and Sen. Small voted by proxy. Sen. Caferro will carry the bill.

Discussion:

00:58:59 Sen. Sands
00:59:02 Sen. Caferro

00:59:15 Chair Howard

EXECUTIVE ACTION ON HB 517

00:59:32 **Motion/Vote:** Sen. C. Smith moved that **HB 517 BE CONCURRED IN**. Motion carried 8-1 by voice vote with Sen. Hinebauch voting no. Sen. Moore and Sen. Small voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON SJ 21

01:00:43 **Motion/Vote:** Sen. Sands moved that **SJ 21 DO PASS**. Motion carried unanimously by voice vote. Sen. Moore and Sen. Small voted by proxy.

ADJOURNMENT

Adjournment: 11:15 AM

Julie Emge, Secretary

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Additional Documents:

EXHIBIT([phs70aad.pdf](#))